

REMARKS

Reconsideration of the application is requested.

Claims 20-22, 24-28, and 30-41 are now in the application. Claims 20-22, 24-28, and 30-41 are subject to examination. Claims 20, 26, and 39 have been amended. Claim 41 has been added. Claims 23 and 29 have been canceled to facilitate prosecution of the instant application.

Under the heading "Claim Rejections – 35 USC § 112" on page 2 of the above-identified Office Action, claim 23 has been rejected as being indefinite under 35 U.S.C. § 112, second paragraph.

Applicants appreciate the indication of the error in claim 23. Claim 23 has been canceled.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, second paragraph. The above-noted changes to the claims are provided solely for clarification.

Under the heading "Claim Rejections – 35 USC § 102" on page 2 of the above-identified Office Action, claims 20-22, 34, 35, 39 and 40 have been rejected as being fully anticipated by U.S. Patent No. 3,572,982 to Kozdon under 35 U.S.C. § 102.

Claim 20 has been amended to include a shaft (9) installed such that the shaft cannot rotate. The rotor (5) is mounted on the shaft such that the rotor can rotate.

Support for the change can be found by referring to the translated specification at page 4, line 37 through page 5, line 4.

In contrast to the invention as defined by claim 20, Kozdon teaches a rotor 1 that includes opposing bearing pins 4 and 6 that are rotatably mounted in respective bearings 5 and 7.

With regard to claim 39, the Examiner has stated that the pump of Kozdon is suitable for use with an appliance. Kozdon, however is totally silent with regard to domestic appliances.

With regard to claim 40, the Examiner has stated that the dishwasher in the preamble is a recitation of intended use. Claim 40 has been amended to define the pump in combination with a dishwasher, wherein the pump is configured to pump water in the dishwasher. Kozdon is totally silent with regard to a dishwasher.

Under the heading "Claim Rejections – 35 USC § 103" on page 4 of the above-identified Office Action, claims 23, 24 and 28 have been rejected as being obvious over U.S. Patent No. 3,572,982 to Kozdon in view of U.S. Patent No.

4,762,461 to Ushikoshi under 35 U.S.C. § 103. Applicants respectfully traverse.

The corrected limitations of claim 23 have been added to claim 20. Claim 20 now includes a shaft (9) installed such that the shaft cannot rotate. The rotor (5) is mounted on the shaft such that the rotor can rotate.

The Examiner has stated that “it would have been obvious to one of ordinary skill in the art to substitute a fixed shaft support arrangement such as Ushikoshi for the rotating shaft arrangement of Kozdon in order to allow for the use of larger and more durable support bearings”.

Applicants point out that there is nothing that teaches or suggests that the bearings of Ushikoshi are more durable (or larger) than the bearings of Kozdon. Applicants respectfully believe that the Examiner has not provided a legitimate motivation for making the substitution and that there would have been no suggestion to make the substitution.

Under the heading “Claim Rejections – 35 USC § 103” on page 4 of the above-identified Office Action, claims 25-27, 29, 30, 32, and 38 have been rejected as being obvious over U.S. Patent No. 3,572,982 to Kozdon in view of U.S. Patent No. 4,762,461 to Ushikoshi and further in view of French reference 2 608 228 to Ledamoisel, et al. under 35 U.S.C. § 103.

Applicants believe that the invention as defined by claims 25-27, 29, 30, 32, and 38 would not have been suggested for the reasons given above with regard to the teachings in Kozdon and Ushikoshi.

Additionally, claim 26 has been amended to even further distinguish the invention from the prior art. Support for the changes can be found by referring to claim 29 and to the translated specification at page 2, lines 22-26.

Claim 26 specifies that the pump includes: at least one radial sliding bearing (7,8), said rotor (5) being mounted on said shaft (9) by said at least one radial sliding bearing (7, 8); and an O-ring holding said at least one radial sliding bearing (7, 8) in said rotor; said at least one radial sliding bearing (7, 8) having a liquid seal. Applicants believe that Ledamoisel et al. do not teach an O-ring holding at least one radial sliding bearing in a rotor, and that the prior art does not suggest the limitations of claim 26.

Additionally, claim 25 has been amended to even further distinguish the invention from the prior art. Support for the changes can be found by referring to the translated specification at page 4, lines 12-15 and at page 5, lines 9-12.

Claim 25 specifies that the pump includes: a shield (3), and at least one O-ring (19) fixing said shaft in said shield. Applicants believe that the prior art does not suggest such limitations.

Under the heading “Claim Rejections – 35 USC § 103” on page 5 of the above-identified Office Action, claims 31 and 37 have been rejected as being obvious over U.S. Patent No. 3,572,982 to Kozdon in view of U.S. Patent No. 4,762,461 to Ushikoshi and French reference 2 608 228 to Ledamoisel, et al. under 35 U.S.C. § 103. Applicants respectfully traverse.

Applicants believe that the invention as defined by claims 31 and 37 would not have been suggested for the reasons given above with regard to the teachings in Kozdon and Ushikoshi.

Under the heading “Claim Rejections – 35 USC § 103” on page 5 of the above-identified Office Action, claim 36 has been rejected as being obvious over U.S. Patent No. 3,572,982 to Kozdon in view of U.S. Patent No. 5,708,313 to Bowes et al. under 35 U.S.C. § 103. Applicants respectfully traverse.

Applicants believe that the invention as defined by claim 36 would not have been suggested for the reasons given above with regard to the teachings in Kozdon and Ushikoshi.

Under the heading “Claim Rejections – 35 USC § 103” on page 6 of the above-identified Office Action, claims 10 (20) - 22, 33-35, 39 and 40 have been rejected as being obvious over U.S. Patent No. 3,288,073 to Pezzillo in view of

U.S. Patent No. 3,572,982 to Kozdon al. under 35 U.S.C. § 103. Applicants respectfully traverse.

Claim 20 now includes a shaft (9) installed such that the shaft cannot rotate. The rotor (5) is mounted on the shaft such that the rotor can rotate. Neither Pezzillo nor Kozdon al. teach or suggest such limitations. The invention as defined by claims 20-22, 33-35, 39 and 40 would not have been suggested by Pezzillo and Kozdon al.

Claim 33 specifies that the rotor (5) has an internal space formed therein being divided into two subregions (32, 33) which run toward one another in a conically tapering manner. An exemplary embodiment is shown in Fig. 2, which shows two subregions 32 and 33. Applicants believe it is clear that neither Pezzillo nor Kozdon al. teach or suggest such limitations.

Support for new claim 41 can be found by referring to the translated specification at page 5, lines 27-37.

Claim 41 specifies that the pump includes: a circuit board including an electrical actuating circuit; and a spring contact; the wet-running motor includes a stator electrically connected to the circuit board by the spring contact. Applicants believe that the prior art does not suggest such limitations.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 20. Claim 20 is, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 20.

In view of the foregoing, reconsideration and allowance of claims 20-22, 24-28, and 30-41 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of two months pursuant to Section 1.136(a) in the amount of \$490.00 in accordance with Section 1.17 is enclosed herewith.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Sterner LLP, No. 12-1099.

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Respectfully submitted,

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MPW:cgm

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